

**REMARKS/ARGUMENTS**

Claims 18-29, 33-42 and 46-57 are pending in the application.

Claims 18-29, 33-42 and 46-57 have been rejected.

Claims 26-29, 39-42 and 54-57 have been objected to as being dependent from a rejected claim.

Claims 1-20, 22-33, 35-48 and 50-60 have been cancelled without prejudice.

Claims 21, 34 and 49 have been amended, as indicated above.

New Claims 61-69 have been presented for consideration.

The Specification has been amended, as indicated above.

No new matter has been added.

Reconsideration of the Claims is respectfully requested.

**1. In the above referenced Final Office Action:**

- a. Claims 18-20 have been objected to due to informalities.
- b. Claims 18-21, 25, 33, 34, 38, 46-49, and 53 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6307844 to Tsunehara et al. ("Tsunehara"), in view of U.S. Patent No. 5,694,391, to Diachina et al. ("Diachina");
- c. Claims 22-24, 35, 36, and 50-52 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Tsunehara, in view of in view of Diachina, further in view of U.S. Patent No. 5,548616, to Mucke et al. ("Mucke"); and
- d. Claims 26-29, 39-42 and 54-57 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The rejections and objections have been traversed and, as such, the Applicant respectfully requests allowance of claims 21, 34 and 49, and new claims 61-69.

*Claims 18-20 have been objected to due to informalities, because the reply to a non-final action filed on 10/8/2010, the first line of the claim set reads "1-20 (cancelled)," however, claims 18-20 are still being claimed in the rest of the claims set.*

Claims 18-20 have been cancelled without prejudice. The recital reflects this status.

*Claims 26-29, 39-42 and 54-57 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.*

Claim 21 has been amended to incorporate the limitations of dependent claim 26 and intervening claims thereto. Claim 34 has been amended to incorporate the limitations of dependent claim 39 and intervening claims thereto. Claim 49 has been amended to incorporate the limitations of claim 54 and intervening claims thereto.

Claims 27-29 are presented as new claims 61, 62 and 63. Claims 40-41 are presented as new claims 64, 65 and 66. Claims 55-57 are presented as new claims 67, 68 and 69.

## CONCLUSION

The Applicant respectfully submits that Claims 21, 34 and 49, and new claims 61-69 in the Application are in condition for allowance, and respectfully requests allowance of such Claims.

Applicant respectfully submits that no additional payment of fees is required for the new claims in that the new claims are not in excess of the number previously paid for. 37 CFR 1.16; MPEP 607 at p. 600-63 (Rev. 7, July 2008).

No additional fees are believed to be due. In the event that additional fees are due or a credit for an overpayment is due, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Garlick Harrison & Markison Deposit Account No. 50-2126.

The Examiner is invited to contact the undersigned by telephone, facsimile, or email if the Examiner believes that such a communication would advance the prosecution of the present invention.

### RESPECTFULLY SUBMITTED,

By: /Kevin L. Smith/  
Kevin L. Smith, Reg. No. 38,620

GARLICK HARRISON & MARKISON  
P. O. Box 160727  
Austin, TX 78716-0727  
Phone: (972) 772-8836  
Fax: (972) 534-1230  
email: ksmith@texaspatents.com